

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: KANEKAR ET AL.

US Patent 7,689,485, issued March 30, 2010

Application No. 10/630,178, filed July 29, 2003

Confirmation No. 2587

Title: Generating Accounting Data Based On Access Control List Entries

**37 CFR 1.705(d) REQUEST FOR CORRECTION OF PATENT TERM ADJUSTMENT (PTA)
STATED ON THE FACE OF THE ISSUED PATENT**

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request the Office reconsider its determination of the PTA. Applicants in the most part agree with the Office's calculation. However, Applicants believe that there is an error in the PTA calculated by the USPTO, and that the PTA should be 111 days less than printed on the face of the issued patent, as the Office apparently awarded overlapping PTA under 35 USC §§ 154(b)(2)(A) and (B).

- Applicants were granted the § 154(b)(2)(A) 111 day adjustment in a prior-filed petition for a PTO delay from July 5, 2008 to October 24, 2008 (111 days).
- The Office apparently calculated the § 154(b)(2)(B) delay as 1055 days, starting from July 30, 2006 to June 19, 2009 (3 yr.+1 day until the filing of the RCE).

Therefore, the granted 111-day adjustment appears to be overlapping with § 154(b)(2)(B) delay awarded by the USPTO. Therefore, Applicants were apparently awarded an extra 111 days of PTA. Therefore, Applicants respectfully request the Office correct the PTA to be 1724 days in the Certificate of Correction for the above-referenced issued patent.

In re KANEKAR ET AL., Application No. 10/630,178
Request For Correction of PTA

The following is presented in list format to supplement the previous discussion.

(1) This petition is being filed no later than two months after the issuance of the application, which issued on March 30, 2010.

(2) This issue about overlapping granting of (A) and (B) could not be raised prior to the issuance of the patent.

(3) Applicants have paid the fee required by 37 CFR 1.18(e) via EFS-Web contemporaneously with the submission of this paper. [Fee code 1455.]

(4) Applicants believe the correct PTA is at least 1724 days, and request the Office correct the determined PTA with a Certificate of Correction.

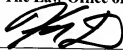
- a) Applicants do not dispute the Office's determination of the PTA of 668, 30, and 1055 days due to Office delays as shown in PAIR.
- b) Applicants do not dispute Applicants' delay of 29 days as shown in Pair.
- c) Applicants believe the PTA grant of 111 days should not be awarded as the corresponding period of the delay is overlapping with granted B delay.
- d) Therefore, Applicants believe the PTA should be 1724 days (668+30+1055-29).
- e) Finally for completeness, Applicants further request, if any, additional PTA accrued pursuant to § 1.702(a)(4) and/or 1.702(b), or any other source.

Applicant believes no additional fees are due with this paper beyond the payment of the fees via EFS-Web, but authorizes the Commissioner to charge any fees due with this communication, or credit any amount being refunded, to Deposit Account No. 501430.

Respectfully submitted,
The Law Office of Kirk D. Williams

Date: May 14, 2010

By



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